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November 5, 2020

VIA ECF

Hon. Mary Kay Vyskocil
USDC, SDNY
500 Pearl Street, 18C
New York, NY 10007-1312

USDC SDNY
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Re: *Grimes v. Sony et al.*
Case No.: 19-cv-10644 (SDNY)

Dear Judge Vyskocil:

I am the attorney for Plaintiffs and submit this joint letter after conferring with counsel for the Sony Defendants.¹ As the Court may be aware, the parties were referred to Magistrate Judge Lehrburger for a settlement conference. The Magistrate has now scheduled settlement conference dates for November 30 and on December 22.

On the other hand, the Sony Defendants have filed a pre-motion letter (contemplating a motion to dismiss) within the time for responding to the recently filed Amended Complaint.

Finally, we are to submit a proposed Case Management Plan tomorrow, November 6 (ECF#37).

Counsel have conferred and we believe it would be efficient to request a short stay of the applicable dates on all proceedings pending before Your Honor while we focus our efforts on resolving the matter with Magistrate Judge Lehrburger. Towards this end, we have drafted the proposed Scheduling Order to coincide (or perhaps to terminate) with the conclusion of the settlement conference proceedings with Magistrate Judge Lehrburger. The draft is attached for the Court's review.

As counsel for the Plaintiffs, I point out that the Plaintiffs are not sophisticated in litigation in the federal courts and desire to address their disputes directly with the Sony Defendants in hope that such dialogue will be fruitful. I am concerned that overloading my clients with the objectives of a settlement conference while simultaneously pursuing discovery objectives will simply dilute the process and lead to failure.

¹ The recently added Protoons Defendants have not yet appeared.

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Thank you for your consideration of this request.

Very truly yours,
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PAUL VERNER

cc: David Rose, Esq.

The parties shall file a joint letter informing the Court of the status of this case by December 21, 2020. If the parties have not reached a settlement, they shall submit a revised proposed Case Management Plan. The Clerk of Court is respectfully directed to terminate the letter motion pending at docket entry 41.

Date: Nov. 13, 2020
New York, New York


Mary Kay Vyskocil
United States District Judge